

BILL NO. G-85-12-13 (AS AMENDED)

GENERAL ORDINANCE NO. G- 85-86

AN ORDINANCE amending the Thoroughfare Plan
of the City Comprehensive ("Master") Plan
by vacating a portion of public right-of-way.

WHEREAS, a petition to vacate a portion of public
street within the City of Fort Wayne (as more specifically
described below) was duly filed with the City Planning
Commission; and,

WHEREAS, said Commission duly held a public
hearing thereon; and,

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and thos body having
held a public hearing on said vacation as provided in
I.C. 36-7-3-12; and,

WHEREAS, this body concurs in the recommendation
of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to
vacate a portion of public street within the City of Fort
Wayne, more specifically described as follows, to-wit:

Part of the North one-half of the Northwest
Quarter of Section 15, Township 30 North, Range
12 East, Allen County, Indiana, described as
follows, to-wit:

Commencing on the centerline of Brooklyn Avenue
at a point North 3 degrees 45 minutes West, a
distance of 356.4 feet (5.40 chains) from its
intersection by the South line of the tract
aforesaid; thence continuing North 3 degrees 45
minutes West on said centerline, a distance of
29.7 feet to a point situated 386.1 feet (5.85
chains) North 3 degrees 45 minutes West from its
intersection by the South line of the tract
aforesaid; thence North 87 degrees 56 minutes
East, a distance of 618.04 feet to West line of a


a 50-foot street called Vesey Avenue in the Plat of VESEY'S GARDEN ADDITION; thence Southerly on the line aforesaid, a distance of 29.7 feet; thence South 87 degrees 56 minutes West, a distance of 615.6 feet to the point of beginning; Containing 0.42 acres, more or less, except the west 25 feet thereof,

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any an all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM AND LEGALITY:



BRUCE O. BOXBERGER, CITY ATTORNEY

**Public hearing to be held on _____, the _____ day of _____, 19____, in the Council Chambers.

Sandra E. Kennedy, City Clerk

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Councilmember

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

**Public hearing to be held on _____, the _____ day of _____, 19____, in the Council Chambers.


Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Redd
seconded by Talarico, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the C.
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ M.,

DATE: 12-10-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Cusack
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 2-11-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. B-05-86
on the 11th day of February, 1986,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 13th day of February, 1986
at the hour of 2:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of February,
1986, at the hour of 4:00 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

FACT SHEET

G-85-12-13

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

Gruber Avenue running E/W between
Brooklyn & Vesey Avenues

Reason for Project

Enable Adjacent property owners to fence
in property for security.

Discussion (Including relationship to other Council actions)December 16, 1985 - Public Hearing

The manager of Gerald Doran Auto Parts
appeared before the Commission. He stated
that they are trying to effectively fence
in the property, in order to do so they
need to vacate this strip of right-of-way.

There was no one present who wished to
speak in favor of or in opposition to the
proposed vacation.

December 30, 1985 - Business Meeting

Of the nine members present 8 voted in
favor of the vacation one (1) did not vote.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Gerald Doran

City Department

Other

Opponents**Groups or Individuals****Basis of Opposition****Staff
Recommendation**☒ For☐ Against

Reason Against

**Board or
Commission
Recommendation****By**☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 28 October 1985

Projected Completion or Occupancy **Date** 27 January 1986

Fact Sheet Prepared by **Date** 27 January 1986

Patricia Biancaniello

Reviewed by **Date** 1/27/86

Mary Bucka
Reference or Case Number

ORIGINAL

Admn. Appr. _____

ORIGINAL

COUNCILMANIC DISTRICT No. 4

DIGEST SHEET

TITLE OF ORDINANCE

Right-of-way Vacation Ordinance

G-15-12-13

DEPARTMENT REQUESTING ORDINANCE

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE

A 29.7 foot x 618.04 foot strip of dedicated right-of-way

running north and south between Brooklyn Avenue and Vesey Avenue.

EFFECT OF PASSAGE

Property will be closed as public right-of-way and revert to

the adjacent property owners.

EFFECT OF NON-PASSAGE

Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

PETITION TO VACATE 29.7 FEET LEFT FOR A ROAD

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The Undersigned petitioner, does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following 29.7 feet left for a road, within the City of Fort Wayne, Indiana, and hereby described as follows:

LEGAL DESCRIPTION AND CERTIFICATE OF SURVEY ATTACHED

In support thereof, your petitioner would represent as follows:

1. That they are the only owners of the real estate bordering both sides of the 29.7 feet left for a road.
2. That the 29.7 feet left for a road is not necessary as ingress or egress to other properties whatsoever.
3. That said 29.7 feet left for a road is unopened and unimproved.
4. That no other person, firm, or corporation is interested in or affected by the requested vacation.
5. That petitioner installed a sanitary sewer in this area - referred to as Jerry Doran Auto Parts Sanitary and Storm Sewer Extension - B.O. 245-1973 and Sewer Engineering Reference - W.O. 82469 October 24, 1973. (attached)
6. That petitioner is aware that it would be necessary for an easement to be granted in reference to the sewer and other utilities and is agreeable to said easement.
7. That if petitioner were to fence his existing land it would create a tunnel effect for the area to be vacated and it would be extremely difficult to service this area.
8. That the maintenance of said 29.7 feet left for a road is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and citizens thereof.

Your petitioner files the petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described 29.7 feet left for a road be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 28th day of Oct 1985

Adjacent Property Owner's Signature

Gerald J. Doran
Petitioner's Signature

Adjacent Property Owner's Address

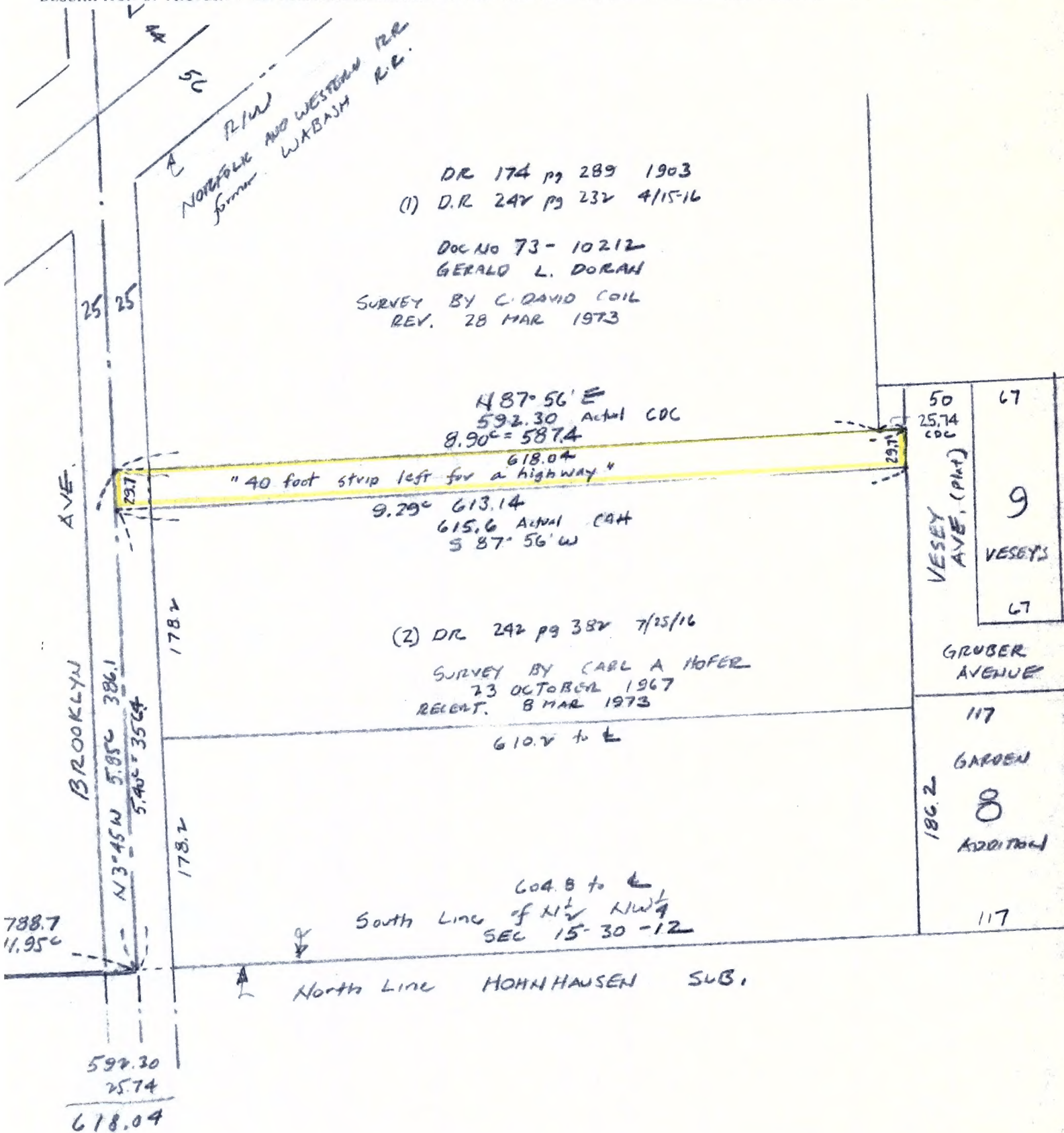
Petitioner's Address

Agent's Name & Address

OFFICE OF **HOFER AND DAVIS, INC.**CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANAA. K. HOFER P.E. No. 72
(1968) L.S. No. 10504CARL A. HOFER P.E. No. 7122
L.S. No. 10031WILLIAM S. DAVIS L.S. No. S-0053
L.S. No. 18114 Michigan

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No.



REFERENCE:
A. K. HOFER REPORT
RE: 5 TRACTS NW 1/4 NW 1/4 SEC 15
30 AUGUST 1947



I-30-12-15B

IN WITNESS WHEREOF, I place my hand and
seal, this 15 day of OCTOBER, 1985

Carl A. Hofer

Legal Description for a "40-foot wide strip left for a highway" (Deed)
29.7 foot-wide (Actual), lying South of Tract (1) Deed Record 242,
page 232, and North of Tract (2) Deed Record 242, page 382.

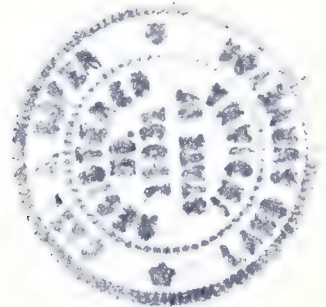
Part of the North one-half of the Northwest Quarter of Section 15, Town-
ship 30 North Range 12 East, Allen County, Indiana, described as follows
to-wit:

Commencing on the centerline of Brooklyn Avenue at a point North
3 degrees 45 minutes West, a distance of 356.4 feet (5.40 chains) from
its intersection by the South line of the tract aforesaid; thence con-
tinuing North 3 degrees 45 minutes West on said centerline, a distance
of 29.7 feet to a point situated 386.1^{feet} (5.85 chains) North 3 degrees 45 min-
utes West from its intersection by the South line of the tract aforesaid;
thence North 87 degrees 56 minutes East, a distance of 618.04 feet to West
line of a 50-foot street called Vesey Avenue in the Plat of VESEY'S GARDEN
ADDITION; thence Southerly on the line aforesaid, a distance of 29.7 feet;
thence South 87 degrees 56 minutes West, a distance of 615.6 feet to the
point of beginning; Containing 0.42 acres, more or less.

IN WITNESS WHEREOF, I place my hand
and seal this 15 day of October, 1985.

----- Carl A. Hofer

3. JERRY DORAN
2901 BROOKLYN AVE.



City of Fort Wayne



ENGINEERING DEPARTMENT

CITY-COUNTY BUILDING
ONE MAIN STREET

FORT WAYNE, INDIANA 46802

November 7, 1973

Mr. Jerry Doran
2901 Brooklyn Avenue
Fort Wayne, Indiana

Subject: Special Sewer Permit - Jerry Doran Auto Parts Sanitary and
Storm Sewer Extension - B.O.245-1973

Dear Jerry:

Attached you will find an executed copy of the above Special Sewer Permit for your files. Please also find attached an executed copy of this permit for your distribution to Rearick Earth Moving.

Yours truly,

Philip R. Boller, P.E.
Chief Water Pollution
Control Engineer

PRB/jw

CC: Board of Works
Dr. Petro

RESOLUTION 76-1-2

WHEREAS, GERALD L. DORAN has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

Part of the North one-half of the Northwest Quarter of Section 15, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the centerline of Brooklyn Avenue at a point North 3 degrees 45 minutes West, a distance of 356.4 feet (5.40 chains) from its intersection by the South line of the tract aforesaid; thence continuing North 3 degrees 45 minutes West on said centerline, a distance of 29.7 feet to a point situated 386.1 feet (5.85 chains) North 3 degrees 45 minutes West from its intersection by the South line of the tract aforesaid; thence North 87 degrees 56 minutes East, a distance of 618.04 feet to West line of a 50-foot street called Vesey Avenue in the Plat of VESEY'S GARDEN ADDITION; thence Southerly on the line aforesaid, a distance of 29.7 feet; thence South 87 degrees 56 minutes West, a distance of 615.6 feet to the point of beginning; Containing 0.42 acres, more or less, except the west 25 feet thereof,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, David J. Kist, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held Jan. 8, 1986 and as same appears of record in the official records of the Board of Public Works.

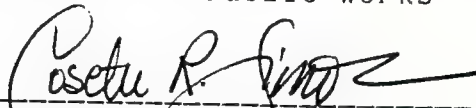
Resolution
Bill No. G-85-12-13

Page two

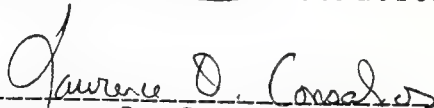
DATED THIS 8th DAY OF January 1986
FORT WAYNE BOARD OF PUBLIC WORKS



David J. Kiester
Director of Public Works



Cosette R. Simon
Director of Administration & Finance



Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, GERALD L. DORAN, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street in Fort Wayne, Allen County, to-wit:

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 16, 1985, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public street.

WHEREAS, said vacation of the portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

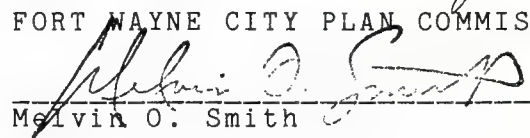
Resolution
Bill No. G-85-12-13

Page two

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held December 30, 1985, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 10 DAY OF January 1986

FORT WAYNE CITY PLAN COMMISSION



Melvin O. Smith
Secretary

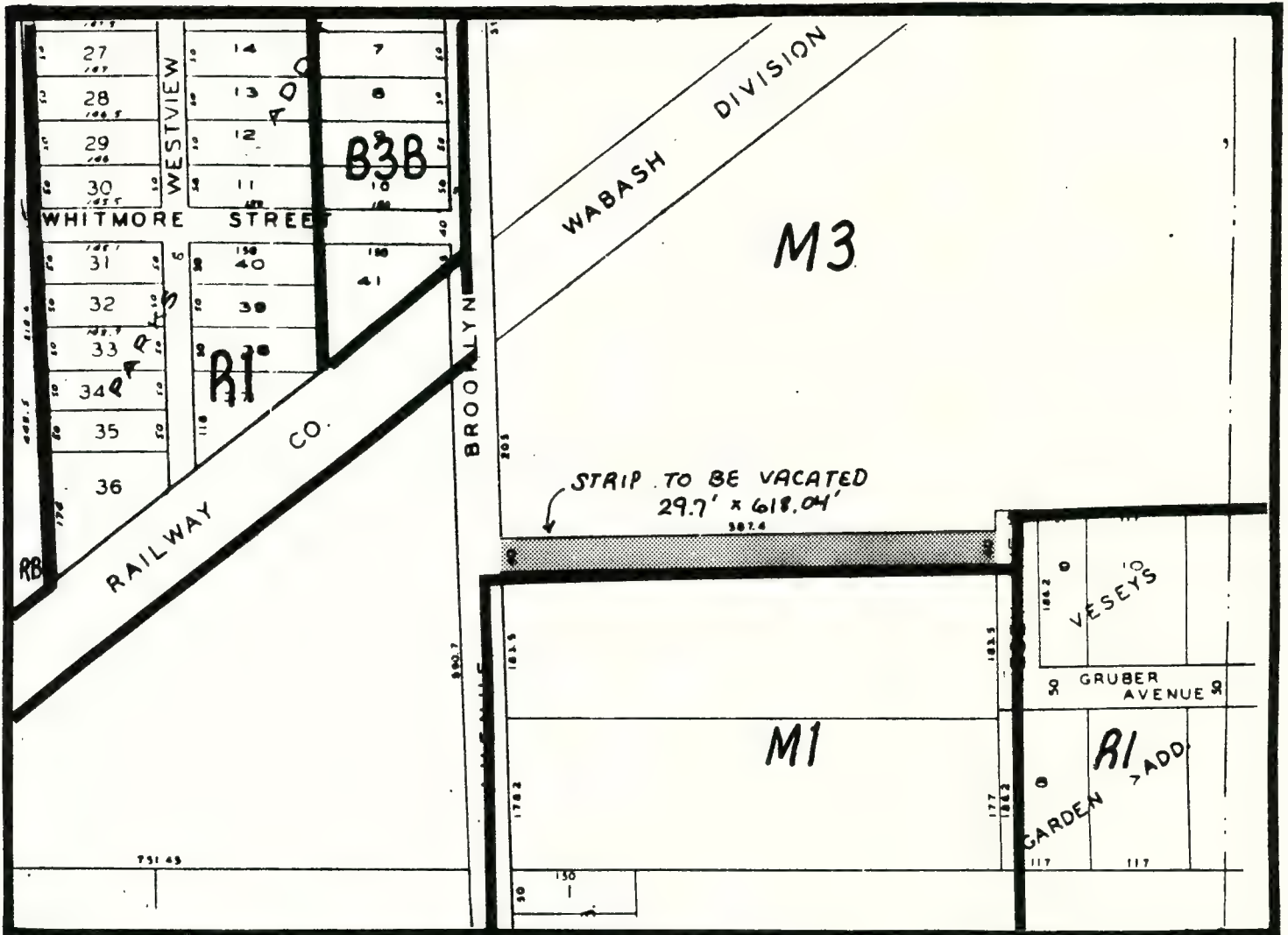
VACATION PETITION

#171

A PETITION TO VACATE THE DESCRIBED 29.7 FEET LEFT FOR A ROAD.

MAP NO. J-7

COUNCILMANIC DISTRICT NO. 4



Zoning:

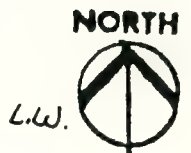
Land Use:

- R1 RESIDENTIAL DISTRICT
- RB RESIDENCE 'B'
- M1 LIGHT INDUSTRY
- M3 HEAVY INDUSTRY
- B3B GENERAL BUSINESS 'B'

6-85-12-12

Scale: 1" = 200'

Date: 11-21-85



BILL NO. G-85-12-13 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating
a portion of public right-of-way

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)

YES

NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN 2-11-86

SANDRA E. KENNEDY
CITY CLERK



The City of Fort Wayne

January 29, 1986

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.,
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of February 1, 1986, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-85-12-13
Bill No. G-85-12-12

Please send us four copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2



The City of Fort Wayne

January 29, 1986

Vesey Neighborhood Assn.
Vince Wirtner, Jr.
3317 Ozark Avenue
Fort Wayne, IN 46809

NOTICE OF PUBLIC HEARING ON BILL NO. G-85-12-13

You are hereby notified that the Common Council of Fort Wayne, will conduct a public hearing on Tuesday, February 11, 1986, at 7:00 P.M. (EST) in the Council Conference Room 128, City-County Bldg., One Main Street, Fort Wayne, Indiana, on the following:

A 29.7' x 618.04' strip running north-south
between Brooklyn and Vesey Avenues.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Sandra E. Kennedy
City Clerk



The City of Fort Wayne

January 29, 1986

Jerry Doran
2901 Brooklyn Ave.
Fort Wayne, IN 46809

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All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-85-12-13)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, February 11, 1986, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:

Part of the North one-half of the Northwest Quarter of Section 15, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the centerline of Brooklyn Avenue at a point North 3 degrees 45 minutes West, a distance of 356.4 feet (5.40 chains) from its intersection by the South line of the tract aforesaid; thence continuing North 3 degrees 45 minutes West on said centerline, a distance of 29.7 feet to a point situated 386.1 feet (5.85 chains) North 3 degrees 45 minutes West from its intersection by the South line of the tract aforesaid; thence North 87 degrees 56 minutes East, a distance of 618.04 feet to West line of a 50-foot street called Vesey Avenue in the Plat of VESEY'S GARDEN ADDITION; thence Southerly on the line aforesaid, a distance of 29.7 feet; thence South 87 degrees 56 minutes West, a distance of 615.6 feet to the point of beginning; Containing 0.42 acres, more or less, except the west 25 feet thereof,

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

RESOLUTION 76-1-2

WHEREAS, GERALD L. DORAN has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

Part of the North one-half of the Northwest Quarter of Section 15, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the centerline of Brooklyn Avenue at a point North 3 degrees 45 minutes West, a distance of 356.4 feet (5.40 chains) from its intersection by the South line of the tract aforesaid; thence continuing North 3 degrees 45 minutes West on said centerline, a distance of 29.7 feet to a point situated 386.1 feet (5.85 chains) North 3 degrees 45 minutes West from its intersection by the South line of the tract aforesaid; thence North 87 degrees 56 minutes East, a distance of 618.04 feet to West line of a 50-foot street called Vesey Avenue in the Plat of VESEY'S GARDEN ADDITION; thence Southerly on the line aforesaid, a distance of 29.7 feet; thence South 87 degrees 56 minutes West, a distance of 615.6 feet to the point of beginning; Containing 0.42 acres, more or less, except the west 25 feet thereof,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, David J. Kuist, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held Jan. 5, 1986 and as same appears of record in the official records of the Board of Public Works.

1/27/86
Nathan
This is the legal
I placed in the paper.

Notified Agent:

Jerry Doran
2901 Brooklyn Av
Fort Wayne, IN 09

Notified Neighborhood Assn.

Vesey Neighborhood Assn.
Vince Wirtner, Jr.
3317 Ozark Avenue
Fort Wayne, IN 09

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, IN 46802

NOTICE OF PUBLIC HEARING ON VACATION OF PUBLIC RIGHT-OF-WAY

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, December 16, 1985, at 7:00 p.m. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on a proposed vacation of public right-of-way.

A 29.7' x 618.04' strip running north-south between Brooklyn and Vesey Avenues.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Plan Commission Office prior to the hearing. If you have any questions you may call us at 427-1170.

NOTE: THE LAW REQUIRES THAT A LEGAL AD BE PUBLISHED IN THE NEWSPAPERS. NOTICES TO AREA RESIDENTS ARE SENT AS A COURTESY. IT IS ADVISED THAT YOU NOTIFY MEMBERS OF YOUR NEIGHBORHOOD ASSOCIATION OF THE ABOVE PUBLIC HEARING.

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 501

FT. WAYNE, IND., 10-28 1955

RECEIVED FROM Fort Wayne Community Development \$ 100.00
THE SUM OF one hundred and 00/100 DOLLARS
ON ACCOUNT OF contribution

[Signature]
AUTHORIZED SIGNATURE

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	3
Body	number of lines	28
Tail	number of lines	2
Total number of lines in notice		33

COMPUTATION OF CHARGES

33 lines, 1 columns wide equals 33 equivalent lines at .300¢ cents per line	\$ 9.90
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$10.90

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose
Date Feb. 1 19 86
Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-85-12-13)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, February 11, 1986, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:
Part of the North one-half of the Northwest Quarter of Section 15, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:
Commencing on the centerline of Brooklyn Avenue at a point North 3 degrees 45 minutes West, a distance of 356.4 feet (5.40 chains) from its intersection by the South line of the tract aforesaid; thence continuing North 3 degrees 45 minutes West on said centerline, a distance of 29.7 feet to a point situated 386.1 feet (5.85 chains) North 3 degrees 45 minutes West from its intersection by the South line of the tract aforesaid; thence North 87 degrees 56 minutes East, a distance of 618.04 feet to West line of a 50-foot street called Vesey Avenue in the Plat of VESEY'S GARDEN ADDITION; thence Southerly on the line aforesaid, a distance of 29.7 feet; thence South 87 degrees 56 minutes West, a distance of 615.6 feet to the point of beginning; Containing 0.42 acres, more or less, except the west 25 feet thereof.
All interested parties are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

2/1

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 2/1/86
Subscribed and sworn to me before this 1st day of February 19 86
Anne M. Perkins Notary Public
My commission expires November 29, 1989

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM			10.90	\$

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Drusilla Roose

Feb. 1 86
Date 19

CLERK
Title

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ALLEN County SS:
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Drusilla Roose
undersigned who, being duly sworn, says
that he/she is CLERK of the
JOURNAL-GAZETTE
DAILY newspaper of general circulation printed and published
in the English language in the city of FORT WAYNE, INDIANA
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Sandra E. Kennedy
City Clerk

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Drusilla Rose

Date Feb. 1, 1986 Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Rose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 2/1/86

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Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

2/1

Drusilla Rose

Subscribed and sworn to me before this 1 st day of February, 1986

Anne M. Perkins Notary Public

November 29, 1989

My commission expires

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Drusilla Roose

Title CLERK

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